

REGULAR CITY COUNCIL MEETING
APRIL 24, 1995

PRESENT

Don Dafoe
Gayle Bunker
Robert Droubay
Dale Roper

Mayor
Council Member
Council Member
Council Member

ABSENT

Dorothy Jeffery
Alan Burraston
Robert Dekker

City Recorder
Council Member
Council Member

OTHERS PRESENT

Virginia Taylor
Richard Waddingham
Neil Forster
Andy & Teresa Thompson
Gregory Schafer
Rod & Cindy Staples
Dan Sperry
Glen Jeffery
Glen Swalberg
Crystal Palmer
Lisa Stumph & Son
George Van
Kirk Thorpe

Deputy City Recorder
City Attorney
Public Works Director
Vision Development
City Employee
Christensens
Sperry Oil
Glen's Bargains
Delta Auto
Great Basin Idea Store
Discount Auto
George Van's Jewelry
Starglo Motel

Mayor Dafoe called the meeting to order at 7:00 p.m. Virginia Taylor, Deputy City Recorder, acted as secretary. Mayor Dafoe stated that notice of the meeting time, place and agenda was posted at the principal office of the governing body located at 76 North 200 West and was provided to the Millard County Chronicle/Progress, the local radio stations, and to each member of the City Council by personal delivery two days prior to the meeting.

Council Member Gayle Bunker offered an invocation, after which Mayor Dafoe led the Council in the Pledge of Allegiance.

MINUTES

The proposed minutes of a Regular City Council Meeting held April 10, 1995, were presented for consideration and approval. The Council reviewed the minutes briefly and proposed corrections, after which Council Member Gayle Bunker MOVED that the minutes be

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approved as corrected. The motion was SECONDED by Council Member Robert Droubay. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

ACCOUNTS PAYABLE

The Council reviewed the accounts payable, a list of which had been given to them two days prior to the meeting. Following a brief discussion of the accounts payable, Council Member Robert Droubay MOVED that the accounts payable be approved for payment as listed in the amount of \$77,549.53. The motion was SECONDED by Council Member Dale Roper. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

UNFINISHED BUSINESS

NEW BUSINESS

ANDY THOMPSON, VISION DEVELOPMENT SUBDIVISION: FINAL PLAT-PHASE I-VISION DEVELOPMENT SUBDIVISION

Mayor Dafoe asked Andy Thompson to present a Final Plat for Phase I of the Vision Development Subdivision.

Andy Thompson presented a copy of the Final Plat for Phase I of the Vision Development Subdivision.

Mayor Dafoe then asked Attorney Richard Waddingham to discuss his concerns regarding the Final Plat.

Attorney Waddingham explained that the Subdivision Ordinance requires that ... "The municipal engineer of Delta City shall approve the final plat if he finds that the subdivision fully complies with the improvements required by the ordinances of Delta City, that the survey description is correct and that the easements are appropriately located."

Mr. Waddingham further explained that Delta City does not have a designated City Engineer but needs to hire one in order to comply with the Subdivision Ordinance.

Mayor Dafoe said that grades, elevations and inlet boxes need to be detailed on the Final Plat.

Andy Thompson explained that the reason that there are no elevations shown on the Final Plat is because he has had difficulty

getting the City's elevations on 350 East Street. He said that Jim Edwards is working on the elevations for both Mr. Thompson and for Delta City.

Council Member Gayle Bunker said that he and Neil Forster met and decided that in order to coordinate and tie 350 East Street into the Vision Development Subdivision curb and gutter, it would be best if Jim Edwards surveyed the road and the curb and gutter.

Andy Thompson then explained that he has plotted his lots to allow for a five foot sidewalk going north, south, east and west of his subdivision and that it is his understanding that the City is going to going to pay the difference of the additional foot of sidewalk from 4-feet to 5-feet. Mayor Dafoe said that the City Council has approved the additional foot of sidewalk. The City Council has also approved that once the curb and gutter is in place the City would widen 350 East and asphalt to the curb and gutter.

Discussion was held and a decision was made to extend the sidewalk, curb and gutter from the north end of Vision Development Subdivision to the Cemetery Bridge, approximately 80 feet of Quin Shepherd's property. Mr. Thompson will obtain bids for that work.

Council Member Gayle Bunker reminded the City Council that they have not discussed the widening of the sidewalk on 450 North and recommended that the City participate in the widening of the sidewalk from 4 feet to 5 feet in front of Mr. Thompson's three lots. The Council agreed.

City Attorney Richard Waddingham again emphasized the need to appoint a City Engineer in order to comply with the Subdivision Ordinance.

Guarantee of Improvements was discussed and Mr. Thompson is going to guarantee improvements with a Trust Deed. Attorney Waddingham will prepare the Trust Deed for Mr. Thompson.

Council Member Gayle Bunker also said that Andy Thompson's Final Plat for the Vision Development Subdivision has been presented to the Planning Commission, they have reviewed it and the following is their recommendation:

"In a Planning Commission Meeting held April 12, 1995, Andy Thompson presented and reviewed a Final Plat for Vision Development in detail with the Planning Commission members.

After reviewing the Final Plat, it was determined that the three lots on the south end of the subdivision are not one acre lots, which is a requirement of an A-1 Zone, and cannot be approved as outlined in the Final Plat. Zoning Officer Neil Forster reviewed the Final Plat and recommended that the zone

for lots 9, 10 & 11 be changed from A-1 to R-1-B in order to allow single family dwellings on those lots that are less than one acre in size.

Following discussion and review, it is the Planning Commission's recommendation to the City Council that a Public Hearing be scheduled for the purpose of receiving public comment regarding a proposed zone change from A1 to R-1-B on Lots 9, 10 & 11 (Phase II) of the Vision Development Subdivision and that the zone change be approved.

Further discussion was then held regarding the Final Plat for Vision Development Subdivision. Street lighting was discussed, and the Commission agreed that Mr. Thompson should install street lights on each of the four power poles the length of his subdivision on 350 East; and, once the lights are installed, they shall then become part of the City's street lighting system.

Discussion was also held regarding curb, gutter and sidewalk along the length of the subdivision on 350 East Street. The Planning Commission recommends that curb and gutter be installed along 350 East to the Cemetery Bridge, that a five foot sidewalk be installed along 350 East to the bridge and that Delta City pay for the extra one-foot width the length of the subdivision along 350 East.

It is also the Planning Commission's recommendation to the City Council that Phase I (Lots 1 through 8) of the Final Plat for Vision Development Subdivision be approved as discussed above."

Following discussion, Council Member Gayle Bunker MOVED to approve the Final Plat for Vision Development - Phase I subject to the City Engineer approving the Final Plat, construction drawings and the Trust Deed and Subdivision Agreement being in place. The motion was SECONDED by Council Member Dale Roper. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a roll call vote. The voting was as follows:

Council Member Alan Burraston	Absent
Council Member Gayle Bunker	Yes
Council Member Robert Dekker	Absent
Council Member Robert Droubay	Yes
Council Member Dale Roper	Yes

Following further discussion, Council Member Gayle Bunker MOVED to approve the extra widening of sidewalk from 4 foot to 5 foot on 450 North subject to the final cost being brought back to the City Council. The motion was SECONDED by Council Member Robert Droubay. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

Council Member Robert Droubay MOVED to commit Delta City, as funds are available, to complete 80 feet of curb, gutter and five foot sidewalk to the Cemetery Bridge. The motion was SECONDED by Council Member Dale Roper. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

COUNCIL MEMBER GAYLE BUNKER: SCHEDULE PUBLIC HEARING DATE TO CONSIDER A PROPOSED ZONE CHANGE FROM A1 TO R-1-B ON PROPERTY LOCATED WITHIN THE VISION DEVELOPMENT SUBDIVISION ON 450 NORTH 350 EAST

Mayor Dafoe asked Council Member Gayle Bunker to recommend a Public Hearing date to consider a proposed zone change from A-1 to R-1-B on property located within the Vision Development Subdivision.

Council Member Bunker said that in a Planning Commission Meeting held April 12, 1995, Andy Thompson presented a Final Plat for the Vision Development Subdivision. After reviewing the Final Plat, Zoning Officer Neil Forster said that the three lots on the south end of the subdivision are not one acre lots, which is a requirement of an A-1 Zone, and cannot be approved as outlined in the Final Plat. Mr. Forster said that he talked with Attorney Richard Waddingham, and after reviewing all the information with the Planning Commission, it is their recommendation that the zone for the three lots be changed from A-1 to R-1-B.

Council Member Gayle Bunker MOVED that a Public Hearing be scheduled for May 22, 1995 at 6:45 p.m. for the purpose of receiving public comment regarding a zone change from A-1 to R-1-B on the three smaller lots located within the Vision Development Subdivision. The motion was SECONDED by Council Member Robert Droubay. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

COUNCIL MEMBER GAYLE BUNKER: SCHEDULE PUBLIC HEARING DATE TO CONSIDER A PROPOSED ZONE CHANGE FROM AGRICULTURAL (A1) TO RURAL RESIDENTIAL (RR) ON PROPERTY LOCATED NORTH OF DELTA ALONG HIGHWAY 6

Mayor Don Dafoe asked Council Member Gayle Bunker to recommend a Public Hearing date to consider a proposed zone change from Agricultural (A-1) to Rural Residential (RR) on property located

north of Delta along Highway 6.

Council Member Gayle Bunker said that after he reviewed the property description of the proposed area to be rezoned, he found that the description includes property that is located south of the Cemetery Road. When this zone change was presented to and approved by the Planning Commission, the original proposal only included property that is located north of the Cemetery Road. Mr. Bunker said that he would contact Russell Greathouse, property owner, for a corrected property description.

Council Member Gayle Bunker MOVED to table this agenda item until he meets with Russell Greathouse for a new property description. The motion was SECONDED by Council Member Robert Droubay. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

NEIL FORSTER, PUBLIC WORKS DIRECTOR: 1995 IRRIGATION DITCH TAX AND WATER RENTAL RATES

Mayor Don Dafoe asked Public Works Director Neil Forster to discuss the proposed Irrigation Ditch Tax and Water Rental Rates for 1995.

Public Works Director Neil Forster explained that the Irrigation Ditch Tax for 1994 was \$30 and the Irrigation Water Rental Fee for 1994 was \$30 per acre foot. He asked the City Council for their recommendation for the 1995 fee.

Following brief discussion, Council Member Gayle Bunker MOVED to establish the 1995 Irrigation Ditch Tax at \$30 and the Irrigation Water Rental Fee at \$30 per acre foot. The motion was SECONDED by Council Member Dale Roper. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

Mayor Dafoe instructed Attorney Richard Waddingham to prepare a resolution adopting the 1995 irrigation fees. A resolution will be presented at the next Regular City Council Meeting.

MAYOR DON DAFOE: MAIN STREET BEAUTIFICATION

Mayor Dafoe said that he met with the Main Street Enhancement Committee, and he has approved the purchase of 40 flower planters to place along Main Street. Mayor Dafoe said that the planters cost \$47.00 each plus shipping. Mayor Dafoe has agreed to Delta City initially supplying the planter, soil and plants.

Mayor Dafoe said that they also discussed the initial purchase of six trash receptacles to be placed along Main Street. The trash receptacles cost approximately \$190 each.

The estimated cost of the project is \$5,000, and Mayor Dafoe explained that the planters have not been budgeted for but

recommended that \$5,000 of the Mayor and City Council budget to be used for this project.

Following discussion, Council Member Robert Droubay MOVED that Delta City participate in the initial purchase of 40 planters and 6 trash receptacles in the amount of \$5,000. The motion was SECONDED by Council Member Dale Roper. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

Rod Staples, Main Street Business Committee, addressed the City Council and thanked them for their support in an effort to beautify Main Street. He explained that a Main Street Business Committee has been organized in conjunction with the Main Street Enhancement Committee.

Mr. Staples reported that Christensen's Department Store is leaving Delta but he and his wife are remaining in business at that location, and they have a definite interest in the beautification of Main Street.

Mr. Staples said that he has contacted Dana Meier, Utah Department of Transportation, and he said that the State has agreed to come to Delta and sweep Main Street four times a year. Snow removal was also discussed and Mr. Staples said that during the winter months the State is pushing snow to the white line in the street rather than the curb, which does not allow for parking in front of the businesses and causes a liability problem if someone should slip and fall. He requested that the City Council support the businesses and coordinate with the State in requesting that the snow be pushed to the curb. Another problem discussed is the lack of drainage along Main Street.

Mr. Staples presented a signed petition by the Delta Businesses to Delta City that stated the following:

"Whereas the Delta Business Community is concerned about the image of Delta because the appearance of Main Street is not conducive to drawing residents to shop and visitors to stop; and

Whereas they also find the maintenance of Delta Main Street to be a problem, they unitedly petition the City of Delta to do the following:

1. At least once a month, downtown streets will be washed and swept. Snow removal will be handled in a timely manner to aid business retention and perhaps of more importance, to

help with drainage problems that affect some businesses.

2. City, state and business will work together and coordinate the upkeep of Delta's main street.

3. A steering committee made up of representatives from the business district will meet regularly with the city's planning commission to help determine priority needs of the city."

Mr. Staples continued saying that he understands that Delta City is on UDOT's 5-Yr. project list, but he spoke to an individual who encouraged the businesses along with the City to form a Special Improvement District in order to upgrade the appearances of the business fronts. He felt that this would speed up the project waiting period with UDOT.

Mayor Dafoe reminded Mr. Staples that Delta City does not own Main Street and that it is UDOT that owns the street from store front to store front. Mr. Staples agreed but asked that Delta City coordinate with UDOT to utilize their street sweeper and coordinate snow removal to the curb. He then requested that Delta City fill in and sweep Main Street in between the quarterly visits from UDOT.

Mayor Dafoe said that Delta City has made and will continue to make a constant effort to coordinate the upkeep of Main Street with UDOT.

MAYOR DON DAFOE: LETTER TO GOVERNOR LEAVITT CONCERNING WILDERNESS DESIGNATION

Mayor Dafoe along with Glen Swalberg talked about the proposed wilderness designation for Millard County public lands. Millard County has recommended that only 30,100 acres be designated as wilderness in Millard County. Mayor Dafoe recommended that Delta City support Millard County's stand on this issue and voice their opposition to wilderness designated areas within Millard County.

Following discussion, Council Member Robert Droubay MOVED to authorize Mayor Dafoe to write a letter to Governor Leavitt supporting Millard County's position concerning wilderness designation with courtesy copies being sent to the congressional delegates. The motion was SECONDED by Council Member Gayle Bunker.

Mayor Dafoe instructed Attorney Waddingham to draft the letter to Governor Leavitt.

OTHER BUSINESS

Dan Sperry was in attendance and asked when it would be possible to get the road in front of his business on 300 West and 600 North oiled. He said that it is a heavily travelled road due to traffic coming in to Delta from Sutherland and from IPP. He said that he requested to be on the project priority list last year, and at that time he committed \$5,000 toward materials.

Council Member Robert Droubay said that the City Council has discussed upgrading that road several times but available funding for FY 1994-1995 has been committed to other projects. He assured Mr. Sperry that they would keep 300 West on the priority list and upgrade it when it is feasible for the City.

Kirk Thorpe, new owner/manager of Starglo Motel and Laundromat, was in attendance and introduced himself and offered his support for the Mainstreet Enhancement Committee.

Council Member Robert Droubay presented a handout regarding a Statewide Torch Relay that stated the following:

"Here is your opportunity to join with other cities and communities in a statewide torch relay. Five Olympic torches from five corners of the state and transported by clean Natural Gas vehicles will move through Utah's communities to arrive at the capitol city June 15. All interested cities and towns will either be on the main route or connected to a hub of participating communities..."

Brief discussion was also held regarding a City flag to be used as part of this celebration. Mayor Dafoe will be the designated liaison for Delta City for the torch relay.

Mayor Dafoe said that he received an application for State funds for pedestrian safety projects and recommended that they apply for funds to complete the sidewalk going east along Hwy 50 to the Regional Park. The City Council was in favor of the project.

Mayor Dafoe recently travelled to Jerome, Idaho, with other representatives of Millard County to gain information regarding the dairy relocation effort currently taking place within Millard County. He gave a report on the trip and said that it was very beneficial.

Council Member Robert Droubay said that a group of individuals contacted him to see if the City would donate paint so they could


paint the old building located on the corner of LeGrande Law's property. The City Council decided not to purchase the paint. The City will be helping with scrap metal cleanup on Mr. Law's property on May 6.

Public Works Director Neil Forster said that an engineering firm has been hired to prepare the Airport Layout Plan for the Delta Municipal Airport. Mr. Forster invited the City Council to attend a meeting with them tomorrow at 2:00 p.m. to review the plan.

Council Member Gayle Bunker said that there is a problem with trains stopping and blocking the railroad crossings for an extended period of time. He recommended that the City write a letter to the Railroad and remind them of the allowable time limit for stopping.

Mayor Dafoe asked if there were any comments, questions or items to be discussed. There being none, Council Member Gayle Bunker MOVED to adjourn. The motion was SECONDED by Council Member Robert Droubay. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously. Mayor Dafoe declared the meeting adjourned at 9:30 p.m.


DON DAFOE, Mayor


DOROTHY JEFFERY
Delta City Recorder

MINUTES APPROVED: RCCM 5-08-95